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THE NEW YORK LAW SCHOOL REPORTER

STUDENT LAW JOURNAL

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Making Music at NYLS

By Gila Garber

Entertainment lawyers, students, and others in the music industry came together on October 17th at the Media Law Project's latest entertainment law panel titled "The Lawyer's Role in the Music Business." Over 160 people attended the event which took place in the Steifel Reading room.

The panel was a mix of lawyers and non-lawyers. Christine Lepera, a NYLS alumnae and a partner at Gold, Farrell & Marks, served as the moderator. Panelists included: Rick Chertoff, Senior Vice President of PolyGram Holding, Inc., and owner of Blue Gorilla Records; Michael Dorf, President and CEO of Knit Media, Inc., Owner and

Director of the Knitting Factory, and Co-Founder of the Global Internet Gathering; Beth Patterson, Vice President of Business Affairs at Elektra Records; Paul Robinson, Vice President, Associate General Counsel at Warner Music Group; Charles Sanders, a NYLS alumni and General Counsel to the National Music Publisher's Association and the Harry Fox Agency; and Michael Selverne, a NYLS alumni and Managing Partner at Selverne, Flam & Mandelbaum, LLP.

The topics of discussion included an overview of the music industry, responsibilities of an entertainment lawyer, and issues concerning copyright and the Internet. Mr. Robinson discussed the combination of entertainment and corporate law that he encounters at work. A more



business oriented perspective of the industry was given by Ms. Patterson. Ms. Lepera, who has represented artists such as Billy Joel and Andrew Lloyd Weber in copyright infringement cases, brought up some tactical concerns of lawyers in the music business. Mr. Chertoff addressed the importance of collaboration between lawyers and their creative clients.

The Internet's impact in the music industry sparked a heated debate that drew a lot of com-

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THE SUPREME COURT'S CENTER STILL HOLDS

by Hansen Alexander



One year after the publication of Professor James F. Simon's best selling book, *The Center Holds*, the United States Supreme Court continues to resist a quarter century of Republican court-packing intended to reverse the libertarian legacy of Chief Justice Earl Warren.

The Court's balance of power remains in the middle with conservative Reagan and Bush appointees Anthony Kennedy, Sandra Day O'Connor, and David Souter providing the decisive votes on critical issues. Two moderate Clinton appointees, Ruth

Bader Ginsburg and Stephen Breyer, have strengthened the Court's center.

Simon's book focuses on four key areas of constitutional law: racial discrimination, abortion, criminal law, and First Amendment freedoms. Simon's conclusion that the Court has maintained a "centrist" position on these key issues is based roughly on his analysis that the Court has eroded the Warren's Court's direction on racial discrimination and criminal law while either expanding or more or less holding the line on abortion and First Amendment freedoms.

Simon said in a recent interview that *Romer v. Evans* and *United States v. Virginia*,

decided in the last term, suggested that the Court's center is sensitive to civil liberties. "Kennedy wrote a very passionate opinion for the Court in *Romer*," Simon observed.

Kennedy, Simon said, was swayed by briefs in *Romer* which did not argue that sexual orientation should be a fundamental right but that it was a violation of the equal protection clause to discriminate against homosexuals.

Although he resisted predicting the Court's adjudication on the hot topics of the new term such as physician assisted suicide, Simon did speculate that O'Connor, based on her vote for the majority in *Romer*, probably would not want to overturn such a recent decision as *Bowers v. Harwick*. However, he thinks she might overturn a sodomy statute based on sexual status rather than sexual conduct.

While the Court is clearly less sensitive on race than the Warren or Burger Courts, it is more sensitive than *Croson* and *Adarand* might suggest, according to Simon. He said O'Connor and Kennedy are fact driven, not ideological conservatives, and that they do not close the door on race conscience programs. "In political redistricting cases O'Connor straddles the line but says race can be a factor," Simon said. The Court will hear another redistricting case this term.

Although Simon noted that the Supreme Court has been cutting back Congress' powers since *Usury* in 1976, he strongly dissented from the conventional view that *Lopez* means this Court intends to sharply limit the commerce clause. "I'm not so sure *Lopez* was a revolution even as a regression from commerce clause doc-

Continued on Page 8

BOMB SCARE ROCKS SCHOOL

By catboy

schools he bombs, he bombs.

-m doughty

whydja bomb?

-allen ginsberg



October 7, 1996: What can I say? I spent the entire day studying in the library, and when I began my trek home at 10:30pm I was drained. However, I still had enough energy to get pissed off when I saw a stack of notices on top of the *Reporters* outside the Reading Room. As soon as I read the notice and learned about the "October 9th bomb scare," I ran downstairs to see David Drossman of the *Reporter*. Dave is an alright boy. I can't say that I completely agree with all his political leanings, but I will tell him a story every so often. It never occurred to me that Dave might ask me to write a story about this bomb scare, but

he did. I agreed to write something or another.

Heading home now, I stopped to ask night security guard Robert Clemmons if he knew anything about the bomb threat. Robert was enthusiastically arguing with another security guard, because Robert had taped some notices to the main entrance doors. The other guard did not think that the notices belonged on those doors. When he finished arguing, Robert turned to me and told me that he was "not allowed to give any information" regarding the bomb threat. He referred me to George Hayes.

When I finally got home tonight, I decided to call my friend "Rusty." Rusty went to University of Madison during the late sixties, and he wrote for the paper there. Considering his personal resume, I figured he would know some-

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INSIDE: 'HE SAID, SHE SAID' Movie Reviews, Page 15

'humming,' Page 11

'MUSIC MONTHLY' Music Review, Page 10

HOUSE OF HORRORS, Page 5



You will find none of this

Sound Off To The Ombudsman

The New York Law School Reporter

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The *Reporter* welcomes submissions from all students, faculty, alumni, staff, and other members of the legal community. All contributions are given high regard, and any input is welcomed.

All contributors are given the opportunity to review their submissions before the newspaper is published, subject to considerations of time and practicality. Our editors, at the request of the contributor, can assist with formulating and writing an article.

Authors of articles submitted to the *Reporter* are ultimately responsible for the veracity of any article submitted and accepted for publication.

The views reflected herein are those of authors, and not necessarily those of the *Reporter*, New York Law School, or of any editor or staff member.

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Articles should be submitted on an IBM formatted disk with a hard copy and program used indicated to the *Reporter* at the above address or to Room L2 in the basement of the "C" Building, New York Law School.

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An Ombudsman investigates reported complaints (from students or consumers), reports findings, and helps to achieve equitable settlements (Webster's Ninth New Collegiate Dictionary 823, 9th ed. 1983). The *Reporter's* column 'Sound Off To The Ombudsman' is presented for entertainment purposes only.

The Ombudsman invites all comments, "beefs" or questions for publication in this column. Letters will be selected, published and addressed as the editor sees fit. Send all submissions to the Ombudsman, c/o the New York Law School Reporter, 57 Worth Street, New York, NY 10013, or drop off your submission at the Reporter office located in the student center, the basement of the "C" building.

To The Ombudsman,

I feel compelled to respond to all the bad publicity the Irish Law Students Association (ILSA) has received. As a first year evening student I have yet to attend an ILSA meeting, but I am submitting this letter to refute the blatant "stereotyping" that you assert you in your response. You assert that the Irish only export alcohol and we do much to exacerbate everyone seeing us as drunks. I must disagree with this.

Could it be that you desire to further a negative stereotype? You also refer to all pubs as being Irish. This is an interesting point. Many pubs in Ireland are, in fact, gathering places where people get together to chat and have a good time. You don't see people getting drunk and stupid in a pub in Ireland. Nor are the pubs there as bad as the trendy bars here, where people go to get inebriated.

You also state, "Moreover, Irish people in general have done much to exacerbate the image of themselves as drinkers." You then go on to trash St. Patrick's Day. Did you know that it was the Americans who took that holiday and made it what it is today (regardless of whether you see it as good or bad)? In Ireland if it is recognized at all it is as a religious day and not a day to go out and get drunk.

I have been to Ireland several times and can assure you that the Irish people are not a bunch of drunks as you portray "the Irish in general" to be. They are warm, friendly people. It's ironic that you should stereotype them because when I went to Ireland I took several friends (of all nationalities and religions) and not one of them felt they were disliked or mistreated. If anything, they couldn't believe how kind and generous the people were. They may not have a lot in the way of money, but they are rich in spirit and generous by nature.

So, before you stereotype all Irish people, maybe you ought to do a bit of research. You make light of the situation in Northern Ireland, which only leads me to believe that you have never been there and seen the guards at their border, nor have you seen what was once a beautiful part of their country destroyed by bombs and fighting. To many of us this is just not something to joke about.

So please Ombudsman don't stereotype and make fun of another nationality. Why not stick to your own beliefs and background so that you won't offend and trash an entire group of people such as the Irish. If what you wrote even hinted at being accurate, I would be too "drunk" and "incoherent" to write this.

On a final note while this paper addresses the rights to free speech, I would ask if this right, taken in the context of this school's newspaper,

would condone the stereotyping of an entire group based solely on their nationality. Please, keep your prejudice and ignorance on the street where it belongs, not in a law school forum. This is not the place to air out personal prejudices or hatred of any kind.

- M. Lanigan

[Editor's Note- On the left side of this page in every issue the *Reporter* states "The views reflected herein are those of authors, and not necessarily those of the *Reporter*, New York Law School, or of any editor or staff member." The Ombudsman chose not to answer this letter because the topic was getting stale. The Ombudsman did, however, write a personal response to Miss Lanigan]

Q: Dear Ombudsman,

The other day, some buddies and I were sitting in the library, and we noticed that this year, there are more girls with big breasts. We started discussing the topic, and we all agreed that girls with bigger breasts probably score lower on their LSAT exams, because girls with bigger breasts are generally "bubbly," and not as smart as girls with smaller breasts. Can You prove or disprove this theory?

- The Bubble Theory Bunch

A: When I first read this question, I thought it would be good to print, because it would encourage the people in the admissions office to no longer admit students who score below 140 on their LSAT exams. After reading it again, however, I thought it would afford me an opportunity to show the readers of this column that there are actually men in our school who think like this.

Because I was so dumbfounded by these people, I asked my friend, who is working on a graduate degree in psychology, to provide me with some sort of insight into the minds of the Bubble Theory Bunch. She informed me that this was an obvious case of "Small Genitalia Syndrome." Apparently, men with small genitalia single out people (male or female) who seem genetically superior in certain areas of their anatomy, and try to compensate for their own misfortune by degrading them.

If this psychology stuff confuses you, please allow me to simplify things. These guys are assholes. In fact, before reading this letter I had twenty nine words for "asshole" in my vocabulary. I wish that I knew the first name of the leader of the Bubble Theory Bunch, so that I could make it an even thirty.

I know that this was probably meant as a joke, but the fact is--it's just not funny.

Q: Dear Ombudsman,

Im a first year student who can not understand why we work so hard in legal writing only to get 2 hours of credit. I know this is normalbut I think that they should make legal writing a "4" hour class or a "6" hour class and not a "2" hour class. Can you put in a few words with administration office and try to tell them that wer'e sick and tired of this?

A: I swear to all of you reading this, that I did not fabricate this question. This was obviously written by a member of the Bubble theory Bunch, because it was written by an absolute moron. The only response that I can give to the writer, is that if legal writing was a six credit course, you would flunk out of school.

THE FUTURE IS NOW!

By Alexandria Mabry



When you peruse the literature on technology in education you'll see a number of trends emerging: telephone networks; collaborative education using computers; experimentation with computer based instruction; the re-emergence of long-distance learning, using computers; a heavy use of e-mail; and elaborate interschool networks.

NYLS introduces its interpretation of advanced technology to the best of its capacity. We now have installed new cable that will support both the telephone system and the computer network. This allows for exchanging electronic mail, conducting research on remote data bases and sharing files, software and other network resources.

For your individual convenience, we have telephones located throughout the school in case of an emergency, or in case you feel like calling your friend regarding extra-curricular activities A @ X location. Moreover, faculty and administration potentially may have informative messages which you can listen to in order to save you and them the painstaking labor involved in high-volume human contact; i.e. school closings, cancelled classes, grades posted.

These telephones are tools to make you more productive, to disseminate information, and to allow the institution to better serve you. NYLS invested in 'T-1,' which is one of the fastest ways to get around "the net." Yes, we can do an amazing amount of research, discuss anything imaginable, and get opinions that range from expert to wildly uninformed. Now aren't you glad you chose NYLS? Go downstairs right now and see one of the reasons for this years tuition hike.

Educational institutions, in general, need to learn how to treat computing-related expenses as annual operating expenses; and adjust budgets accordingly-and perhaps painfully. We need to organize for continual reinvestment in educational

uses of information technology for the foreseeable future.

Students want the ability to retrieve their grades via telephone, the ability to register via telephone, laptops on each student's desk, and in class computer-based learning. The last two demands need not be met immediately. I understand the complications in setting standards that will not be outmoded too quickly, in addition to the potential chaos which may be created when a Professor is not the center of attention. Nevertheless, I think that the experiment would be well worth the investment. In any event, 86.6% of the student body is familiar with the internet. What does this tell us? THE FUTURE IS NOW!

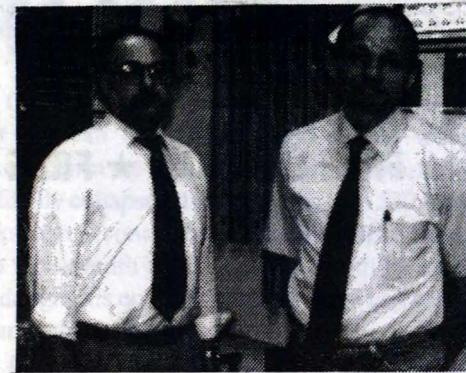
FYI: 'Law Schools Online' will be available for distribution to 1Ls, and those 2L and 3Ls who neglected to pick it up from room A404. It's free, and you can use it from home. Look for employment, use Lexis, e-mail, and even communicate with fellow students and Professors regarding anything from Civil Procedure basics to how to most effectively negotiate a sales contract.

FYI: Student Consultants are available in the student computer labs to answer your burning questions, and/or provide you with ink and paper, during the following hours: Monday: 9:00-6:00; Tuesday: 9:00-12:30, 4:00-5:45; Wednesday: 9:00-1:00, 2:00-4:00; Thursday: 9:00-12:00, 4:00-6:00; Friday: 10:30-3:30.

If a student consultant is unavailable during a time in which you find to be most crucial, either contact the Help Desk at extension 2316 and/or locate Arlen Rauschkolb via the Help Desk. P.S: the consultant will be the person in the small room with the couch.

FYI: Computer Workshops for students will be held: Tuesday, November 5 from 9:30-10:15; Friday, November 15 from 9:30-10:15; Thursday, November 21 from 1:00-1:45; Wednesday, November 27 from 4:00-4:45.

Topics covered include WordPerfect basics and Pegasus E-mail. Seats are available on a first come first served basis.



Arlen Rauschkolb (Executive Director of Information Services) and George Hayes (Director of Security) are spearheading efforts to update the technology at NYLS.

Letters to the Editor

Dear Editor,

I am sick and tired of listening to my classmates complain about the conduct of their peers to professors. If you have a problem with one of your classmates, be mature and approach them yourself. Complaining to a professor about a peer when they are not there to defend themselves is cowardly and juvenile.

I recently witnessed a group of about eight students bitching to a professor about a comment a student made in class. The professor is not the one that should deal with this situation, it is the people complaining. Complaining to a professor just makes the class look like a bunch of crybabies who can't solve their own problems.

Sincerely,
S. Lehman

Dear Busted,

I am with you on this one. Students with complaints about the behavior of their classmates should discuss it amongst themselves before bringing it to the professor. This only causes tension between students and makes the professor look unfavorably upon the class.

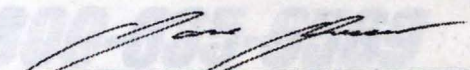
EDITOR'S NOTE



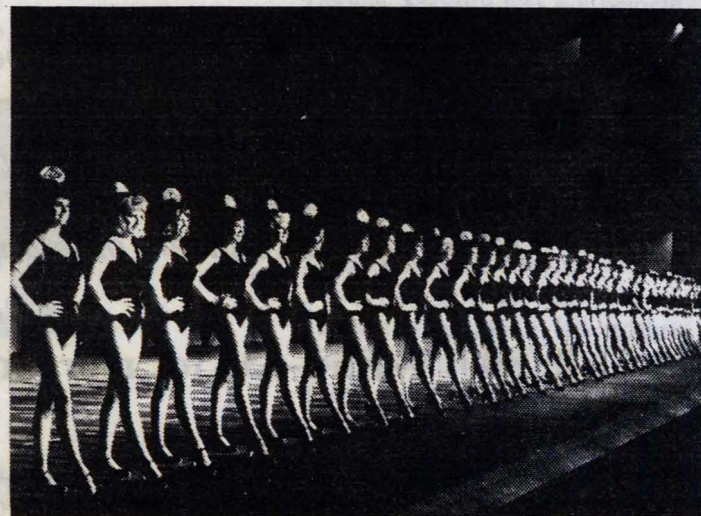
"... the ultimate good desired is better reached by free trade in ideas--that the best test of truth is the power of the thought to get itself accepted in the competition of the market and that the truth is the only ground upon which their wishes safely can be carried out. That at any rate is the theory of our constitution."

-Justice Holmes

In the October and November issues of the *Reporter*, some readers have voiced concerns about generalizations written by the Ombudsman, "condemning the *Reporter's* actions" and stating that "this is not the place" for such dialogue. The *Reporter's* goal is to open up the lines of communication within the NYLS community, not interfere with the open exchange of ideas. If some, all or none of the students at our school think all Jews are cheap, all blacks are on welfare and all Irish people are drunks then they are entitled to their opinion. It is not the responsibility of the *Reporter* to censor unpopular student opinions, and it certainly is not to take a side in the political correctness movement. Opinion is the mortar holding positive discourse together, and to take that away would tear apart the fabric of a great society (and a great publication) built on freedom of speech.


David Drossman, Editor-in-Chief

GET A LEG UP!



Write For The NYLS Reporter

We welcome your opinions and contributions. Make your voice known and promote your interests. Simply write articles, editorials, letters to the editor, letters to the Ombudsman, comments or suggestions on topics of your own choice, or let us come up with the ideas. Your opinions and thoughts are important, and deserved to be shared with the NYLS community. You may write under your own name, a false name or anonymously. No reasonable story refused! Drop off contributions at the *Reporter* office in Room L2, the lower level of the "C" Building (across from the TV). Or call (212) 431-2100 Ext. 4202 for ideas or more information. Any free time you can contribute is valuable to the *Reporter*.

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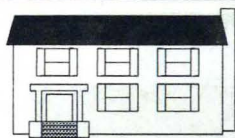
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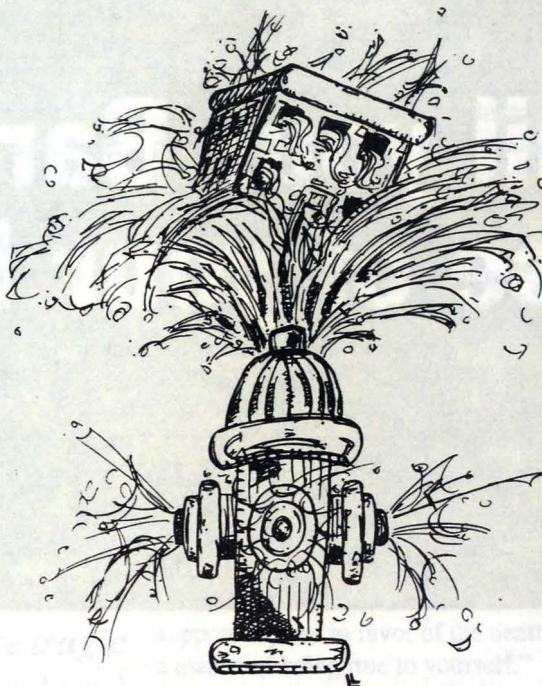
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By David A. Drossman

When 1L Lisa Miller arrived at NYLS from her home in Los Angeles, she knew that she was far from home. With no family or friends to support her or to help her find a place to live, she put her trust in NYLS and opted for the new dormitories located at the twelve story St. George student residence in Brooklyn Heights. In addition to the no-hassle convenience of student housing, the close proximity to NYLS and the "renovated" rooms were also incentives to cross the East River.

Unfortunately, she and other NYLS students have gone from bright-eyed students to nervous wrecks in only a matter of weeks. Massive hot water pipe bursts on three different occasions caused ceilings to collapse and trapped many students in their rooms. 1L Carrie Cavallo told the Reporter, "The building is a mess."



HOUSE OF HORRORS



On September 21 at 1:00 A.M. heating pipes burst in room 739, sending 140 degree water gushing down the walls downstairs to room 639, and finally collapsed the ceiling in room 539. Two weeks later, a similar burst sent students running from the seventh floor down to the third floor. The dangerous conditions culminated in a series of bursts the next night.

I was awakened out of a dead sleep only to find my room filled from floor to ceiling with steam, flooded with extremely hot water and the ceiling and walls crumbling.

Saturday, October 5 at midnight brought the worst flooding and damage of the three ex-

plosions. Panic struck students as ceilings collapsed and walls of boiling water sprayed down from the seventh floor all the way down to the second floor. No fire alarms went off, and as a result most residents had no idea what was happening to their neighbors. Miller was trapped in her room because the ceiling over her door collapsed, leaving a boiling waterfall blocking the only way out. "It was like a thunderstorm in the building." A courageous student named Crystal threw a sweater over her head and ran in to help Miller get out.

Building security was contacted but obviously not aware of the magnitude of the problem. Residents were told "someone will be here tomorrow to fix the problem." Pleading students got the keys from security to help other trapped students get out of their rooms. Security was not helping, so brave students from various schools helped each other out. Then important papers and personal possessions were moved into the hallway as students darted in and out of rooms until 9:00 in the morning. Unfortunately, students were reminded that this is New York City; a 3L had 300 CD's stolen and Miller and Cavallo had their wallets stripped of cash. Most students were not as lucky as Miller, because she still had not received most of her belongings from home. Those students whose property was damaged or destroyed were compensated by the building's manager, Educational Housing Services.

Over four hours passed until the water was shut off because firemen and building management had trouble finding the valve. However, by that point the damage had been done. In addition to displacing 12 students, the water destroyed a newsstand outside the building, flooded the street, and shut down the 2 and 3 subway line that runs

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Experiences: Immigration Rights March

By Dave Bliven

So there I was. It was 3:30 A.M. on October 12, and I'm getting out of bed (and those of you in my Externship seminar can attest to how hard this must have been for me). I was going to the Immigration Rights March in Washington, D.C. Initially, I was concerned that I would not get a ride, but a group called Refuse & Resist came through at the last second and offered me a seat on their van. I was also worried that I didn't really have the money (\$25 - not a lot, but when one is living out of a shoebox, it's enough), nor the time (I have a lot of schoolwork to do - I'm sure I'm alone on that one), and besides, it was my birthday on Sunday. But I had never been to a march before, and so there I was.

There is nothing more tragic in all this world than to know right and not do it.¹

I had initially thought that other New York Law School students were travelling in the van. However, the van contained myself and twelve people whom I didn't know; mostly high school students that were members of Refuse & Resist. As we passed through the states of Pennsylvania and Delaware, my biggest worry was that I hadn't brought enough Vivarin with me. I did a little reading, tried to sleep a little (I was pretty wired at that point), but mostly thought about what the march would be like. I was told there were to be around 50,000 people, but I thought that it would be a lot less. There was little advertising of the March (at least not in the popular media), and when I questioned the leader of Refuse & Resist on this point, he said, "Well, this is a grassroots effort."

I know what you're thinking, and you're right. Seems like it would be a whole lot more effective to get the big organizations involved - the more people, the louder the voice (or maybe that was just what I was thinking).

Demonstrations, experience has shown, are part of the process of stimulating legislation and law enforcement.

Pulling in to Washington, I did not see the hundreds upon hundreds of buses I expected. A part of me was trying to live out the 1963 March on Washington, disappointed that I was not even a gleam in my mother's eye back then. I wanted to see millions there, not just thousands.

We arrived at the park where the March would begin, and I was disappointed still further; there only seemed to be a few hundred people milling about [I want my money back]. A person connected with the International Socialist Organization asked me to march with them (since she noticed I looked a little lost; what she doesn't know is that I always have that look), so I took my first tentative baby steps toward activism.

"The hottest places in hell are reserved for those who in a moment of moral crisis seek to maintain their neutrality."

- Dante

I went down to Washington with a firm political stance. I was a Democrat with socialist inclinations, but strongly in favor of Clinton/Gore. I even signed up to work on their re-election committee, having worked for them in '92. It was much to my dismay that the Socialists were badmouthing Clinton. "I may not agree with everything that Clinton has done," I said, "but he is the lesser of two evils." A member of the Socialists disagreed. "Clinton has broken just about every campaign promise that he made, and in compromising with the Republicans, he signed a Welfare bill that will literally result in thousands of homeless because the jobs do not exist for so-called Workfare. Besides, he is in favor of the death penalty, and if you are truly liberal, then there is no way you can support anyone in favor of the death penalty. It's a matter of being true to yourself."

I found myself unable to come up with an analytically-sound counterargument, and instead stood there repeating, "Yeah, but he's the lesser of two evils." For all those who have been in my classes (particularly Constitutional Law), you know that I am usually articulate on matters of civil rights and civil liberties. But that was it; that was my grand, articulate counterargument, showing how weak my political ideology had been all along.

Injustice anywhere is a threat to justice everywhere.

As the March began, I could see that there were quite a few people marching. There were people lined up in the street for as far as the eye could see, and I was in the middle of it all. The Socialists were a loud bunch. Among their chants were: "Dole sucks, Clinton lies, it's time to organize," "They say go back, we say fight back," "Time to stop the racist fear, immigrants are welcome here." The marchers were mostly Latino; I found out later that the March was billed in most areas as a Latino March for Immigrants Rights.

I looked around at the signs people were carrying, and some were quite funny (in the ironic sense, not the split-your-gut-laughing sense) - "E.T. is an alien, I'm a human being," and "Who's the alien, pilgrim?" At first, I was overwhelmed by the rhetoric. By opening the borders to all immigrants, wouldn't that mean millions of poor people flooding into our borders? Why should Americans have to pay just because other countries are poor? Why should Americans work hard to see someone else eat their food?

[All people of this world are] tied into a single garment of destiny. Whatever affects one directly, affects all indirectly. We are all made to live together because of the interrelated structure of reality.

I could not chant with the Socialists at the beginning of the March. Not only do I hate drawing attention to myself (shocking statement for those of who were in my Constitutional Law class, but it's true); but I also didn't understand what the chants meant.

As the march went along, though, I began

to see that immigrants do not come to this country to take our jobs, our food, and live off welfare. Most immigrants come to this country because they have no choice. Their choice is: come to America, or die of starvation, disease, etc. What would you do in the same situation?

The reason there is such poverty in the world is precisely because there are rich people in the same world. Think about it. If a 12-piece pie represents all the wealth in the world, and one person snatches up 10 pieces, then there are going to be some people fighting for table scraps - literally (e.g., the top 5% in income in this country hold 90% of its wealth).

Freedom is participation in power.

By the end of the March, I was chanting just as loud as everyone else and feeling good.

For the first time in my life, I raised my fist to the government, and it felt good.

When we arrived at the Ellipse (the site of the rally-the large lawn just behind the White House), I could see just how many people there were - about 30,000. The speeches started at 1:00p.m., and ended at 4:30p.m. Many speeches were in Spanish, and although I took 6 years of it in grade school, I am a product of the fine American educational system, and thus could not understand a word (but, alas, if everyone spoke English we would miss the beauty that is diversity).

Of the speeches in English, many were intriguing. A member of the American Indian Movement (of which I have particular interest, being that I am part-Native American) asked, "What right do they [government] have to differentiate between legal and illegal immigrants. In my mind, they are all illegal."

Another speaker pointed out that "Latinos are your doormen, dish washers, nannies, and tomato pickers. We do the work you don't want to. But do we get any respect or recognition? No, and yet we are descendants from these Americas."

Another commentator observed that "there are over 6 million voting-age Latinos in this country [today]. We are the fastest growing ethnic group, and by early next century, we will be the largest voting block in the country." These comments imply that now is the time to organize and take a stand against further encroachments against civil rights, or there won't be any rights left to protect.

[If democracy is to win its rightful place in the world], millions of people . . . must stand before the world as examples of democracy in action, not as voteless victims of the denial and corruption of our heritage.

As I headed back home, I reflected upon what I had learned. I am now going to vote for myself, because I believe that I am just as quali-

Continued on Page 10



NEED TO KNOW



NYLS ISSUES

STUDENT VIEWS

What's Wrong With This Picture?

By Vladimir Vizner



I began seeing it at a Mayor's Town Hall meeting. Rows of official vehicles, all with one thing in common—they all had tinted windows. I became suspicious. Later, I found out this wasn't a trend confined to the Mayor's entourage. Police cars also had darkened windows. They were mostly undercover cars, but even some of the blue and white patrol cars got the royal treatment.

Why are our tax dollars being used to hide the public servants inside their vehicles? Maybe the Mayor himself has a legitimate safety concern and needs to conceal himself. But what are the others up to? Are they snorting coke? Having sex? Beating up suspects? Or are they just neglecting their duties with nice quiet mid-afternoon naps? Either way, they shouldn't have the luxury of hiding from the people who pay their salaries.

In another recent outrage, the police commissioner tried to have surveillance cameras installed city-wide. Although his grand scheme didn't work, the trend has already taken root. In one short stretch of the B.Q.E. known as the Gowanus Expressway there are over 30 cameras monitoring us. Who is watching and why? Logic dictates that only one camera would be needed to monitor the traffic flow on this straightaway. Folks, big brother is getting bigger and I can bet that he will also be getting nastier if we don't start asserting our rights and freedoms.

Not for Nuthin' But...

by Michele Sileo

Can we please have a more user-friendly student lounge? Trying to get through that mesh of tables and chairs out there is like macheteing your way through an African rain forest. I'm holding a tray full of hot food here, with a 50 lb. knapsack on my back, and a coat flung over my arm; and I'm supposed to be able to make it to a table without spilling, tripping, stubbing, banging or cursing?! Ya gatta be kiddin' me!

My suggestion, an aisle maybe? Some kind of organization, perhaps? I mean give me a break. I just got through a battle with the see-saw chairs; I don't need to start a new battle with the chairs in the lounge.

Professor Simon Speaks Out

Continued from Page 1

trine. In reading Kennedy's pivotal concurrence in *Lopez*, I didn't read his argument as declarative of a revolution. The Government didn't justify its authority under this particular statute [Regulating guns in school]. I think a later court could easily distinguish that case."

This month's electoral blowout guarantees that President Clinton will appoint at least three new justices in the foreseeable future. Chief Justice Rehnquist, O'Connor and John Paul Stevens are expected to retire shortly.

"Clinton probably will appoint another Ginsberg type moderate replacing Rehnquist or O'Connor, profoundly impacting the Court on civil rights and federalism," Simon predicted. This would signal a movement to the left of where the center presently is. Scalia and Thomas will be increasingly isolated on the far right wing of the Court, Simon concluded. Simon did not speculate on whether President Clinton would appoint the first liberal to the Court since Thurgood Marshall in 1967, more than a quarter century ago. Simon said either Ginsberg or Souter would be "an inspired choice" to succeed Rehnquist as Chief Justice.

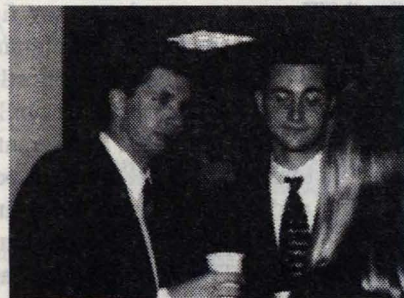
Although Ginsberg, the first Court nominee by a Democrat in 26 years and a former pro-

fessor at Columbia Law School, was a pioneer in forcing recognition of women's constitutional rights under the Equal Protection Clause, she is a consistent practitioner of judicial restraint.

David Souter was compared unfavorably to the Pope by many critics when he was appointed to the Court in 1990. Critics said Souter, a reclusive bachelor who as a New Hampshire Supreme Court Justice still resided in his tiny hometown of Weare, New Hampshire, did not engage in the kind of intimate activities that would make him sympathetic to people's personal rights. Besides astounding those critics with his sensitivities toward individual liberties, Souter has impressed everyone with his integrity and graciousness. Simon noted that Souter is a great admirer of NYLS alumnus John Harlan.

President Clinton, who often talks like a futures trader but usually acts like a bonds salesman, may make the safe choice and nominate Stephen Breyer to succeed Rehnquist. Breyer is popular with both Republican and Democratic senators because he served as chief counsel for the Senate Judiciary Committee before being nominated to the U.S. Court of Appeals for the First Circuit.

Part two of this two part series will appear in the December Issue of the Reporter.



Carl Billek and Jon Brien mingling at the reception preceding 'The Lawyer's Role in the Sports Business.'



Take Me Out To the Ballgame



Yankee faithful turned out to cheer their team to World Series victory. Students were allowed to stay past the usual closing time of the building (11:00 PM) to watch the Bronx Bombers travel the road to the championship.

In addition to property damages I demand a total reimbursement of every cent I have paid to NYLS for this housing debacle. I want out of my housing contract. I want 60 days to find a new place to live that is not associated with Educational Housing Services. If my demands are not met according to the standards stated above, I will fill the school and the St. George with reporters and news cameras.

HORRORS, Continued From Page 5

underneath the building. The fire department worked all night to get the floods under control. They went around to all of the rooms and beat on doors to evacuate the building. In contrast, the building management didn't even wake up sleeping residents to warn them about the danger. While waiting outside later that night, a cold Miller was given a jacket by a kind stranger, which she was still wearing when she told her story to the *Reporter*.

Three days after the flooding the heat was turned on again, this time overflowing radiators and filling many rooms with steam thicker than smoke. Miller walked by a flooded room with the door open, and security reluctantly followed her repeated requests to try to shut off the radiator in the room. For an hour the building was filled with steam, further shaking the residents' confidence in the structural integrity of the plumbing and infrastructure.

Living in the dorms has not been a fun experience from the beginning. "You name it, it probably happens here," said a frustrated Cavallo. Old paint and stained carpets in some rooms made some question whether the building was really renovated. Although most residents are students, some are on welfare or unable to care for themselves. Earlier this semester, a 93 year-old man, near death, was removed from his room after a pungent odor filled the floor. Upon removing the man, paramedics immediately called to have the room fumigated. "He was stewing in his own juices, unable to get up to relieve himself," said Miller.

At this point I had chunks of ceiling in my hair, eyes and mouth.

Still another guest is an ex-convict on medication. A security guard is posted outside his door because he doesn't always take his medicine. Unfortunately, students report the guard, as well as other building employees, as being drunk on the job much of the time. Another building in the com-

plex had been damaged by fire and abandoned. Presently squatters live there illegally, and can be heard by residents at night.

Now some displaced students who have been moved into larger rooms have been asked to pay over \$200 more in rent or to move back into their old rooms, which are still in a state of disrepair. Patched pipes, touch-up repairs on holes in the ceilings and stained carpets and walls are not what Miller had in mind when she moved into her "renovated" room. A group of students attempting to move out have met heavy resistance. The NYLS resident assistant, who finally identified himself to students two months into

the semester, stated that he was "merely an information gatherer," and could not act as an advocate for the students.

Next the students went to the City Clerk and discovered that the St. George does

not have a certificate of occupancy because of 172 pending violations in areas like construction, elevators and plumbing. A four page list of facts and complaints has been submitted to Educational Housing Services and NYLS in an attempt to break the lease.

Remaining students are afraid to turn on their hot water and heat. "The whole feeling around the building is really negative right now," said Miller. Many haven't slept well in over a week and have missed classes, still shaken

from the experience. Cavallo summed up student fears, "Once it starts again, you don't know how long you have."



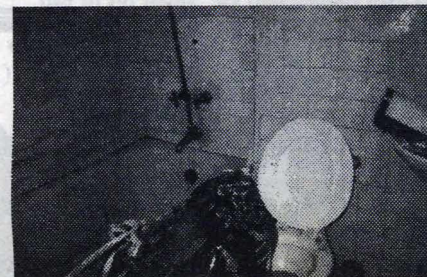
Miller's bathroom was littered with garbage and debris from floors above. The floods of steaming hot water flowed down five floors and shut down subway service on the 2 and 3 lines. Building maintenance crews took four hours to turn off the water.



Lisa Miller (left) seeks to leave the St. George Student Residence (right), located in Brooklyn Heights, for the greener pastures of Manhattan.



Miller is one of twelve NYLS students displaced by massive flooding at the St. George, which was chosen earlier this year to be the only housing offered by NYLS. Walls came apart (top right) and ceiling and floors collapsed, making dorm rooms look more like war zones.



**HAPPY TURKEY
DAY FROM THE
REPORTER**



**The Deadline for the
December Issue is
Monday, November**

25

MUSIC MONTHLY

By Alexis Troy

Welcome to the 2nd installment of my music review column. This past month has been very exciting on both the music and Madonna front, so let's get started! As always, I have reviewed two CDs and given a Madonna update. The two CDs reviewed this month are Sheryl Crow's self titled second CD, and a new live Nirvana CD, *From the Muddy Banks of the Wishkah*.

I'll start with the Sheryl Crow CD. This CD is fantastic! I can't say enough good things about it. As you'll probably recall, Sheryl's first effort, *Tuesday Night Music Club*, was an astounding success, selling millions of copies and earning her a Grammy or two. I loved that CD also, but being the pessimist that I am, I assumed that this sophomore effort would never match the greatness of the first one. But as is often the case, I was wrong, and gratefully so.

Even though Sheryl used many different songwriters on this CD, it is much better than the first. The first single, "If It Makes You Happy" is ten times better than anything on the first CD, and it only gets better! This CD has a

mixture of blues, folk and rock, and it really works. The best songs on the CD are 'If It Makes You Happy,' 'Redemption Days,' 'Love is a Good Thing,' and 'Hard to Make a Stand.'

The rest of the songs are equally as great, but I don't want to list every song on the CD. My recommendation--get your nose out of the books, run to the Wiz, and pick this one up!

The new live Nirvana, *Live From the Muddy Banks of the Wishkah*, is also excellent, but the title of this album is horrendous. If I wasn't a Nirvana fan, I would never have bought this because the title is so bad! But alas, this is the title they chose, so we'll just have to deal with it and move on to the great music.

This CD consists of Nirvana performing live at various concerts during the time they were together. The songs range from the familiar ('Smells Like Teen Spirit'), to the not so familiar ('Negative

The Rock and Roll World Wants Him The Reporter Has Him catboy Every Month is a New Adventure

Creep'). Since I am a fan of both Nirvana and live CDs, I knew I would like this, and I wasn't disappointed. I had never seen them in concert, but with this CD at least I know what I missed out on, which are some great performances.

Nirvana live sounds like Nirvana live. There is nothing that annoys me more than when I go to see a concert and the performer sounds just like the CD. If I wanted to hear the songs on the CD, I would listen to the CD! Nirvana plays each song differently than they do on the CD, and that is one of the things that makes this CD great. Good songs on this CD are 'Negative Creep,' 'Polly,' and 'Lithium.' My recommendation--finish what you're reading and as soon as you're done, run to the Wiz and pick this up.

Now it is time for the second part of my column, the Madonna update. Unless you have been living under a rock (or are a first year doing problem one), you probably know that Madonna gave birth to a baby girl on October 14th at 7:01 p.m. The baby's name is Lourdes Maria Ciccone Leon. I feel that I must take a minute to address those who feel that Madonna is going to be a bad mother because she has been linked with many men, and is not married. I find it sad and depressing that in 1996, people are still so closed minded. Actually, I think it is pathetic.

Anyway, besides the baby, there is other important Madonna information you need to know. You can currently catch Madonna on radio, tele-

Continued on Page 11



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Rights, Continued from Page 7

fied to be President as Clinton or Dole (all I just need a fake I.D. saying I'm 35). I will also keep more abreast of marches and demonstrations, as that is so much more meaningful than pulling a lever.

I know what you're thinking, and you're right - but only partly. I may not have the time to march every march or protest at every protest. But this weekend I marched on the White House, completed all my schoolwork, celebrated my birthday with my family, and still got shit-faced (twice). It just doesn't get any better than this.

¹ All quotes in this article are those of Dr. Martin Luther King, Jr., unless otherwise noted.

humming

by catboy

you could be, or you are the most beautiful person in ny law school. however, your beauty extends beyond the american dream, so, many local folks either can't comprehend it or are threatened by it. they try to fit you into this standard, and if you're a grrrl they'll tell you, "you look so much better in make-up," or "i like you so much better with your hair parted on the side." boy or grrrl, you better dress the part and act cool. because if you don't, that just wouldn't be cool.

holding subway doors is dangerous and delays service.

i cried the other day when this really thin woman in one of my classes attacked sigourney weaver for "always taking off her clothes. . . and she has such a terrible body."

holding subway doors is dangerous and delays service.

walking down west end avenue one sunday, a posse of thirty-something yuppies start messing with me.

"hey, what, are you in the fashion business? you a promoter? what's with those glasses you're wearing?"

"look, you really don't want to know what i do."

one of them seems to be a judge, another designs hip-hop clothes, and the creepy one with a ponytail claims to be a boxing promoter. this "boxing promoter" whips out a bunch of pictures of himself posing with mike tyson, roy jones, etc. what can i say, i was really impressed. i was about as equally impressed when he pulled a red garter belt out of his suit pocket to prove his studliness.

holding subway doors is dangerous and delays service.

celebrity sighting at nyls: sitting in the lobby on october 1st, i was completely freaked when john, the *mother jugs and speed* guitarist, walked into the student lounge. yes, i got all groupie like all over him. after all, *mother jugs and speed* is one of the greatest bands in the world.

holding subway doors is dangerous and delays service.

i walk into a local bodega one evening to see if they'll honor my free snapple coupon. the boy behind the counter is reading a porno and has his right hand inside his pants. as soon as he notices me, he throws the magazine under the counter and removes his hand from his pants. i know, this is nyc, so what's the big deal? i am intrigued by the dynamic created by my intrusion. how often do you walk in on somebody jerking off? how often does someone walk in on you when you're masturbating? i look at him. he looks at me. i leave after he rejects my coupon.

holding subway doors is dangerous and delays service.

my apartment building is right next door to *veritas studios*. as i returned home one late afternoon, i saw a whole group of pretty trendy boys and grrrls standing outside the studio smoking cigarettes. the trendies were wearing white plastic suits over their trendy outfits. it looked like the *mtv* nuclear reactor had melted down, and this group of trendies had been hired to clean up the nuclear waste. as i walked by the kids, i made eye contact with one of the grrrls who had dark eyes and black hair with blonde streaks in it. later i learned from a roadie that *elevator drops* had shot a video using the trendy kids. "the song had something to do with how great heroin is," he said. a few saturday nites after that i went to see *third sex* at *meow mix*, and i ran into the dark-eyed grrrl.



however, she begged off any involvement in the *elevator drops* video.

later, on that same saturday nite, i was sitting at the bar at a real cruddy party at *koyote kate's*. this grrrl walked up to the bar, stood next to me, and introduced herself as "mary jane." i thought her name was pretty cool, so i complemented her on the "eighties tights" she was wearing.

"what do you mean!? these pants were created by a very famous french designer."

"well, it's great that these designers are doing eighties retro." taking herself very seriously, she soon walked away.

holding subway doors is dangerous and delays service.

walking down broadway one evening, i pass by this beautifully and insanely composed elderly woman. with her hair cut short, she wears an old beige trenchcoat, and madly clutches a green broom handle. i say, "hello."

she responds: "do i know you?"

"don't worry about it." (i keep on walking.)

"no, young man come here."

i tell her my name, and i ask her if she'll let me photograph her. she won't take my phone number. she thinks that i'll masturbate over the pictures. i tell her that i'm not a pervert and i go to ny law school. she doesn't care. as i walk downtown she starts yelling after me, "no pictures, no pictures, no pictures young man!!!!" you can't buy that in any theater or museum.

holding subway doors is dangerous and delays service.

MUSIC, Continued from Page 10

vision and magazine. The icon's new single and video, 'You Must Love Me' is a beautiful ballad from the *Evita* soundtrack, and can be seen on both MTV and VH1. The single is due in stores on October 29th.

Madonna can also be seen on the cover of *People* magazine and *Vanity Fair*. The *People* article talks about the baby, while the *Vanity Fair* article gives us Madonna's *Evita* diaries. Both are excellent, and should be bought immediately. Also, just a reminder that the *Evita* soundtrack is due out on November 5th, and the movie is slated for a Christmas release in select cities.

For my CDs of the month, on a scale of 1-10, I give Sheryl Crow a tremendous 9 1/2, while Nirvana gets an excellent 8 1/2 (I should have given it a 9, but I had to take off half a point for that title). Next month, I will be reviewing Van Halen's Greatest Hits CD, and the new Madonna single. Of course, I will also keep you posted on any new Madonna developments. So until then, happy listening, don't study too hard, and have a great Thanksgiving!

As a final note, I would personally like to apologize to Sheryl Crow. In an earlier music review I didn't give her credit for an extended career. Her new album proves me wrong. Rock songs with a folk sound are her forte and she once again shows that her talent is not only good today but will have a lasting affect tomorrow.



Bar Review: The Bean Post

By Michele Sileo

It's late on Wednesday night and I've had about as much studying as I can handle, but I'm still not tired enough to sleep. Where do I go? To my home away from home, "where everybody knows your name", I go to the Bean Post Tap House. Located at 7525 5th Avenue on the corner of 74th Street in Bay Ridge, Brooklyn, the Bean Post is that cozy bar you've been looking for.



The Bar has a real open airy feeling because of the glass French doors that surround it. Yet it's polished wood bar, floor and tables give it that cozy feeling I was talking about.

The Bean Post has been at this same location for 14 years and is Bay Ridge's third continuous establishment. I believe the reason behind its success is the work that goes into pleasing their customers. The Bean Post uses a nitrogen tap system which keeps the beer from going stale faster.

To keep an emptying keg from collapsing in on itself, air is pumped into it. This air is by no means filtered which means old stale musty rat air from the basement (where most kegs are stored) is being pumped in, which causes the beer to go stale quickly. The nitrogen system pumps (you guessed it) nitrogen, an inert gas, into the kegs keeping the beer fresher longer.

The Bean Post also does everything possible to make sure their beer is cold. They have insulated the tap line, and serve their beer in frosted pint glasses and mugs. Speaking of beer, The Bean Post has one of the largest tap beer selections in Bay Ridge with 19 separate taps, but they are always taking on new beer and liquor. In fact they promote two or three new brands a week, with give-a-ways (hats, T-shirts), and raffles (bikes, VCRs).

Give-a-ways aren't exclusive to beer promotions. On Monday night there is a Monday Night Football party, where hats, jerseys and hot dogs are up for grabs. While you're grabbin' don't forget to watch the game on one of the Bean Post's 5 32" screens, but you can't miss the 154" screen in the back. All six TVs are hooked up to two satellites that pick up any game, any time, anywhere. If that's not enough to keep you entertained, the Bean Post also sponsors a dart team that plays every Tuesday night.

So if you're bored, lost, lonely, on a first date, whatever the occasion, the Bean Post Tap House is definitely the place to go. It really is the "Cheers" of Bay Ridge.

Do it Once.



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Jewish Law Students Association

November 21 - Thursday night starting at 10:00 P.M., JLSA is sponsoring a pre-final event for all NYLS students at Webster Hall, which is located on 11th Street between 3rd and 4th avenues. Admission is \$5.00 for students with school I.D.s, plus we have an exclusive bar for our enjoyment. Proper I.D. required.

BOMB, Continued from Page 1

thing about "bomb threat articles." We talked for a while, and he advised me to talk to the security guards. It sounds like a good idea, and I was planning on doing that anyhow. I also hope to meet with George Hayes, chief of security, tomorrow. All in all, I cannot help feeling some concern because I have a Wednesday Legal Writing class with Professor Ruescher. Bomb or no bomb, you can bet I will be on time.

October 8, 1996: Early this morning I had this crazy thought: "What if this whole bomb scare thing is New York Law School's way of breaking out colorwar?" I tried to explain this idea to Dave, but he had never spent a summer in sleep-away camp, so, he had never even heard of colorwar. Otherwise a wall of silence pervaded the school this morning. No one from security would talk to me or give me any information about the bomb scare. No letters, no people, no ideas, no nothing. At most I learned that all the big-wigs had a meeting with the Dean, and one of the security guards is a Vietnam veteran so he will know a bomb when he sees one. This particular guard does not know how to disarm bombs, though. Oh yeah, while my friend Rob was sitting in the library early in the morning, a whole posse of FBI boys came by with some dogs to sniff for bombs.

So there I am back in the *Reporter* office trying to convince Dave of this colorwar conspiracy. It makes sense, why else would everyone be so silent?"

So there I am back in the *Reporter* office trying to convince Dave of this colorwar conspiracy. It makes sense, why else would everyone be so silent? "Even if this is not colorwar," I think out loud, "wouldn't it be great to colorwar in law school? Everyone is under all this stress, people are competing, some are homesick, and some are bored. Colorwar would be a great way to unite and occupy the school. Of course war is always a great way to get people's spirits running. Think about all the women and children we kill in the name of patriotism. Think about about the white-boy-paramilitary-psychology. Think about how presidents [sic] gain popularity through wars. . . ." In the midst of all this ranting a grrrl walked into the office and asked for someone from the *Reporter*.

This grrrl then hands Dave a notice from NYLS Center for International Law advertising Hon. Albie Sachs's lecture. I felt pretty stupid at that point. I mean, there I am coming up with colorwar schemes and trying to pry information out of everyone and their relatives, when this bomb threat was probably just a response to Justice Sachs's scheduled lecture. I learned an important lesson at that point: "Read the *Counselor*."

They cancelled classes this afternoon, and when I returned to school at 6pm to pick up a few things I ran into Professor Ruescher. The Professor informed me that he was cancelling class the next morning. I was relieved.

It was cold and raining when got off the subway and hit the Hell's Kitchen streets, and I somehow ended up in a bar instead of my apartment. I guess I was taking advantage of my cancelled Legal Writing class. I did. I put a pretty big cap on, and when I finally made it home, I kept on drinking. The boy who lives in the apartment above my apartment was leaking water into my bathroom again. I was really drunk at this point, so I put on Marilyn Manson's *Smell's Like Children*, plugged in my guitar, and made as much noise as possible.

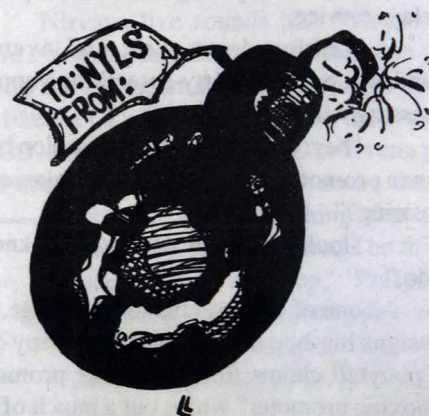
I now realize that calling Rusty about the bomb scare article was not too smart. You see, my friend Rusty is stuck in the sixties and he is determined to make everything into a Marxist issue. In fact, he called me up tonight, and spent an hour explaining to me how the New York Law School security guards are being exploited. On and on he went, "They're making seven dollars an hour and they have families to support. They have to search for bombs, and they probably don't know anything about bombs." I was too drunk to argue with him, and I did not hang up on him because I would have felt guilty if I had offended him.

October 9, 1996: I woke up this morning pretty hung over, but no bombs went off in school today. Rusty left a few more messages on my machine, and J. Sachs lectured at a different location. Unlike other students' classes, nearly all my classes were cancelled today. Tomorrow school returns to its normal pace.

October 10, 1996: That's that. I am looking forward to "putting this week behind [me] and resuming the rewarding activities that are my purpose."

October 11, 1996: The timorous may stay at home.

-J. Cardozo



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Viewpoints: The Supreme Court

"No Comfort has, the Fire at Night, That Lights the Face So Cold"

By Matt Brew

There is only one thing I despise more in this world than Constitutional Law, and that is the Supreme Court itself. Taking two semesters of Constitutional Law is a waste of time. Everything you need to know about the Court can be told to you in one sentence, and the beauty of it is that you don't have to be a genius to figure it out. The Supreme Court is an illegal, illegitimate, elitist, vile, despicable exploitation of true democracy and a sacrilege to the Constitution of this country.

Knowing that, there really is no need to waste your time trying to study most case law deriving from that evil institution. Yet "scholars" still manufacture casebook after casebook filled with cases in which the Supreme Court has overstepped its jurisdiction and defecated on American Justice. And who do we have to thank for that? None other than John Marshall.

I refuse to give John Marshall's memory the honor of calling him a Justice, let alone a Chief Justice. He was a criminal. He was a disgrace. I hate that man more than any words could ever describe.

Why? Because what he did in Marbury v.

Madison and Martin v. Hunter's Lessee was despicable. He would have been such a good magician; even better than David Copperfield. Copperfield can make airplanes disappear, but Marshall can seemingly pull authority to dictate the laws of a country right out of his ass! Where else would he get the legitimacy? Certainly not the Constitution.

The Supreme Court is an illegal, illegitimate, elitist exploitation of true democracy and a sacrilege to the Constitution.

Marshall did what most people do who follow religion. He took the laws as written and decided that they did not suit him, so he altered their interpretation a little bit to fit his lifestyle, and then preached his altered doctrine as if it were the law. But he is not the only guilty one. There have been many who are lucky that I am not the God who will be judging them come judgment day.

I must admit that my obsession and hatred for the Court scares me. I often have dreams about it, Tolkien in nature, where I am galloping through the streets of Washington at sunrise, fading in and

Continued on Page 14

PERSPECTIVES: A LOOK BACK

By Bonnie Rand

In recollecting the days of my childhood as far back as 1916, the limit of education for the average student was graduation from high school. The goal was to secure a position to be self-supporting and to help support the family. Relatively few students had aspirations to attend college, nor could they afford it. Those who wished to advance their education attended continuation schools as well as business schools, trade schools and night schools.

In those days, it was considered an honor to study law, medicine, or other professions. Life was less complicated and the standard of living was low. There wasn't as great a need for lawyers as there exists today. Those who became lawyers practiced mainly general law and doctors became general practitioners. It was many years later that professionals began to specialize.

My oldest sister, in a family of seven, was not a good student. She was sixteen years my senior, and as a result I am not certain that she ever attended school beyond the sixth grade. However, because of her talent in sewing, she attended Manhattan Trade School and studied to become a dressmaker. Opportunities were very limited in that field, however, and she never progressed beyond factory work.

One of my brothers was the only one in the family who attended college. He went at night and studied accounting. After graduating, he found it difficult to secure a position as an accountant but continued working as a bookkeeper at various positions. He earned up to \$65 a week, which was considered a good salary in those days.

Eventually he was offered a position as an accountant at the starting salary of \$25 a week. He was obliged to refuse the offer inasmuch as he was the sole supporter of the family, which included two sisters who were attending high school at the time. He was also contemplating marriage. As a result, he never became a full-time accountant, but he continued working as a bookkeeper and various other enterprises in the business world.

He also did some accounting for other people who required his services.

Another sister graduated from high school and thereafter attended business school where she studied stenography and typing to prepare her for office work. After taking a civil service examination, she received an appointment with the government as a legal secretary. She became my role model many years later when I also chose to become a legal secretary, which I have been to the present day.

Still another brother was a poor student and had no interest in attending school beyond the eighth grade. Without any education, opportunities were limited for him, but he found employment driving a horse and wagon making local deliveries. At the outbreak of World War I, at 16 years of age, he ran away from home and enlisted in the Army by falsifying his age. After serving two years in the Army, he enlisted in the Navy. Thereafter, without education, his opportunities for employment were limited to driving a truck for one brewery after another until his retirement.

My other sister was born with a slight deformity of her right arm. When she started school in about 1914, she was compelled to learn to write with her right hand, which was the rule at the time. As a result, she lost one term in school, but finally learned to write with her right hand.

Years later, she took a course in speed-writing and typing, but her aptitude was in bookkeeping. However, because of ethnic discrimination at the time, she found it necessary to change her name. She also did not observe religious holidays because of the fear of ridicule.

The older generation looks back upon its time as "the good old days," but they were good only compared to the present times. In those days the standard of living was lower, we worked harder, families were closer and we were more content with what we had. While the progress that has been made with modern technology makes life easier, newer and greater problems have been created. Only through education can we hope to find solutions to our problems.

MAKING MUSIC, Continued from Page 1

ments from the panel and questions from the audience. Mr. Dorf, whose Global Internet Group strings together clubs worldwide for an online music cybercast, pointed out that "the law is a little slow to catch up with the Internet" and predicted the direction the Internet is taking record companies. Mr. Sanders talked about the copyright issues involved in the fast paced Internet realm.

Those interested in the music business were advised to plan on practicing in Los Angeles, New York, Nashville and Atlanta.

The panelists advised the audience on ways to break into the music industry. Mr. Silverne, who has represented such clients as Hootie and the Blowfish, Taylor Dayne, The Fugees, and RCA Records to name a few, said that "entertainment law is a boutique area of law" and that the music business has "its own language, its own methodology, and its own players."

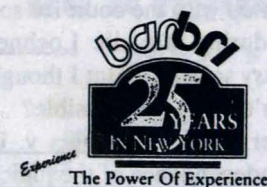
Mr. Silverne advised those interested in this business to "be creative and self reliant" and to plan on practicing in Los Angeles, New York, Nashville, and Atlanta "where music is enormously happening." Ms. Patterson stressed the importance of networking with people in the music industry. "The panel gave the audience honest and informative answers," commented AnnMarie Crosswell, Director of Productions of the Media Law Project (MLP). "I learned a lot from this panel, the issues discussed were both meaningful and interesting," commented MLP treasurer Andrew Csaszar, who is a musician, producer, manager, and performer for his own band.

After the panel was over many students approached the panelists and networked with others in the audience. "The panelists stayed to talk to the students after the panel was over. I think the students really appreciated that," said Alison Finley, Vice President of the MLP, who also added that she was pleased with the panels' success.

Lisa Aljian, the President of the MLP and creator of the 'Lawyer's Role' series, has received a lot of positive feedback from those who attended this panel and previous panels. "These panels have given me a chance to do something for New York Law School. [The panels] get alumni back into the school, and make people in the industry take notice of our students," said Ms. Aljian. Ms. Aljian also added that the members of the MLP are hard workers who are able to get things accomplished.

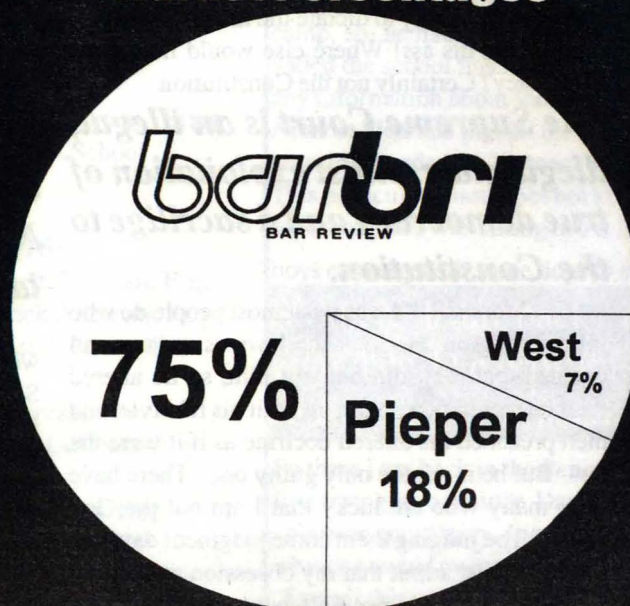
Next semester, the MLP is planning to host the "Lawyer's Role in the Movie Business." Students who are interested in participating in the upcoming panel can get more information by attending MLP meetings.

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Comfort, Continued from Page 13

out of the fog, cloaked in my black cape atop my black stallion in true Wring Wraith form, hacking off the heads of the Supreme Court members with my sword as the 'Immigrant Song' flares through my skull. I'd mount Brennan's head on my mantle piece. He'd be a prize. The only member whose life I'd spare would be Scalia's; but he'd have to spend the remainder of his days doing hard time for his pre 1789 views on social issues.

My biggest problem with the Court is that it is an unelected branch of government. If you follow the Court's logic, you'll find that they in effect wipe out their own claimed right to existence. For instance, there is no constitutional right to an abortion. I'm not saying abortion should be illegal, just that there is no constitutional protection for it. Now, just for a second, no matter what side you are on, just think how it would feel to have the law switch sides. Now the winners are the losers and vice versa.

Well that is how quick it could happen; in an instant. Is that what you really want? To have such an important issue in this country turn on the political and social values of unelected people answerable to no one? God, I hope not. But that's what you have. We as a people should force Congress to settle these issues once and for all. And not just abortion either. If you don't like how Congress votes, then vote them out of office.

But our political leaders like to have the court around to handle the sticky issues. Why do you think they put up with the court for so many years, especially during that vile Lochner era? Because it's an easy solution. But I thought that the easy way wasn't always permissible?

Frankfurter wrote in Dennis v. United States that, "the independence of the judiciary is jeopardized when courts become embroiled in the

passions of the day and assume primary responsibility in choosing between competing political, economic and social pressures." If he followed it by saying "and that is why I must apologize to this country and beg its forgiveness for I shall be resigning immediately," then I would respect him. But he knew that was what the court was all about, dating back to the Marshall days.

In 1877 a man on the court named Waite insisted that the power of a state legislature to regulate grain elevator prices implied a right to set maximum grain prices, scribed in Munn v. Illinois. "We know that this is a power which may be abused; but that is no argument against its existence. For protection against abuses by legislatures the people must resort to the polls".

I would rather be seated in a wooden dentist chair and have roofing nails driven through my testicles than to step before the Supreme Court.

I'll buy that. It sickens me to see a Federal Court reviewing a state court action, but the logic is there. But one question. Mr. Waite, who do I see when you abuse the power vested to you by the constitution? What poll to I go to when I decide I don't like the way you and your cohorts are running my country? I know you're dead Mr. Waite, but that is irrelevant, for if you were alive you couldn't answer me anyway. And if you could, it would be like all the other opinions your little

pulpit has brandished so far to date. It would be the product of smoke and mirrors, just like our justice system.

It amuses me that some attorneys would consider it the pinnacle of their careers to argue before the Court. I would rather be seated in a wooden dentist chair and have roofing nails driven through my testicles, my teeth ripped from my gums with vice grips, my eyeballs slit with razor blades, and my skin melted from my frame by the fires of Smaug, then to ever step foot before one of those criminals.

I wish I had more time to enlighten you, but that is all the wisdom I will bestow upon you in one sitting. I could write pages and pages on this, but it would be pointless. As you probably know by now, I am no scholar. And I don't pretend for a second that I could defend myself against any of the vultures who are dying to pounce on me right now (Constitutional Law professors). And I'm sure you could find some rebuttal as eloquent as any supreme decision, but you'd be missing my point.

I only hope that some people take this and think about it for a while. I know that is asking a lot, but try. Decide for yourself and don't let anyone change your mind. NYLS is full of liberals who would cringe at the thought of being told what to think, but who wouldn't hesitate to push their agenda on you. Think for yourself, or you'll just be part of the problem.

Next time, if there is a next time, I would love to discuss the atrocity known as equity—when courts say, "hey, I know what you did was legal, and you had every right to do it, but it wasn't fair, so instead of having the legislature change the law, I'll change it for you if I can't pervert its meaning to a degree that I see fit."

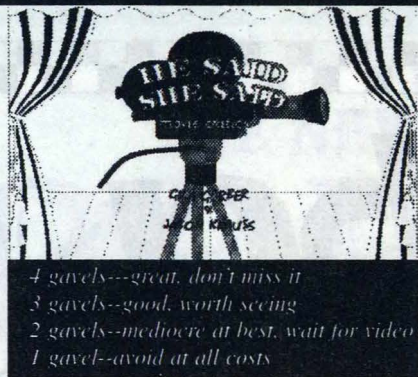
HE SAID...

SHE SAID...

Poetry Corner



Jason D. Krauss



Gila Garber

Sleepers

Directed by: Barry Levinson

Starring: Kevin Bacon, Billy Crudup, Robert De Niro, Ron Eldred, Dustin Hoffman, Jason Patric, Joe Perrino, Brad Pitt, Brad Renfro, Geoff Wigdor

There are runners on first and third, with two out. Luis Polonia hits the ball in the gap in right centerfield. Paul O'Neill makes the catch! The Yankees go up in the best of seven series! Oh yeah, did I mention I was in a movie theater watching the Barry Levinson directed "Sleepers," while I listened to the game on my walkman? The Yankees had just won, I was out with three good friends, I had a huge bucket of popcorn in front of me, and judging from all the hype over *Sleepers*, I was in the midst of seeing a quality flick. What more could I ask for? Well, let's just say three out of four ain't bad.

Sleepers is supposedly based on a true story, centers on the lives of four childhood friends, played as boys by Joe Perrino, Brad Renfro, Geoff Wigdor, and Jonathan Tucker, growing up in Hell's Kitchen, New York City. A simple prank involving a hot dog vendor's cart goes awry, and a man is nearly killed. The four boys are sent away to the Wilkinson Home For Boys to serve time. While at Wilkinson, the boys are beaten on and sexually abused, mostly at the hands of Sean Nokes (Kevin Bacon). When the boys are released, Lorenzo, nicknamed Shakes (Jason Patric), grows up to be a reporter for the *Daily News*, while Michael (Brad Pitt), goes on to become an Assistant District Attorney. John and Tommy (Ron Eldred and Billy Crudup respectively) turn to a life of crime.

When John and Tommy shoot and kill Sean Nokes in a local bar, Michael and Lorenzo plot to help them beat the murder rap. Michael is assigned their case and Lorenzo covers it in the papers. They provide the defense attorney (Dustin Hoffman) with questions to ask at trial, and arrange for Father Bobby (Robert DeNiro), who has known the boys since childhood, to testify on their behalf.

A true story??? I think not. There is absolutely no way Michael would be assigned this case when he has known the two defendants since childhood. I believe they call it conflict of interest. Then John and Tommy's attorney starts questioning a guard co-worker of Sean Nokes about the abuse that went on at Wilkinson. I'm not sure, but isn't this a murder trial? I've heard of artistic license, but this is a bit ridiculous.

Jason Patric, as always, is flat. He should have quit after the *Lost Boys*. Brad Pitt has gotten better in recent years, but he's still nothing more than a pretty face. Hoffman is excellent as the boys drug and alcohol abusing attorney, while DeNiro appears to have recovered nicely from his last movie, *The Fan*.

The most enjoyable part of this sure fire blockbuster was the performances turned in by the four young boys. Led by Brad Renfro, the audience really feels the physical and psychological pain that these, more likely than not, fictional characters underwent. Let's just say if you've seen the trailer, you've seen the movie. No need to waste your time with this one. Go watch the Yanks.

2 GAVELS

Since *Sleepers* was released, quite a few people have been approaching me with their comments about it. Some say they loved it, others found this movie to be nothing more than the latest Hollywood mega-hit wannabe. I found it somewhere in between.

The story is based on Lorenzo Carcaterra's book with the same name. Hell's Kitchen kitchen in the late sixties is the "concrete kingdom" and home turf of the narrator, Lorenzo, and his buddies, Michael, John, and Tommy. The boys spend their summer shooting hoops, going to church, and playing pranks. Robert De Niro is Father Bobby, the neighborhood priest and token father figure, who is as comfortable on the local basketball court as he is on the pulpit. One summer day, the four friends take a prank too far, and are subsequently sent to the Wilkinson's Home for Boys. The boys are beaten and raped by guards at the Home. Kevin Bacon plays Sean Nokes, a particularly sadistic guard.

Years later, the boys are all grown up; their adult counterparts include the pin-up cast of Pitt, Patric, Eldred, and Crudup. John (Eldred) and Tommy (Crudup) take their revenge on Nokes while he's dining in a Hell's Kitchen pub. Michael (Pitt), now an assistant district attorney, with the help of Lorenzo (Patric), orchestrate a plan to help their old friends get out of their criminal mess.

Sleepers starts off fairly strong. The young actors had great accents and well measured swaggers. I was impressed by the ease that Perrino and Wigdor had playing their respective roles. Renfro (*The Client*) is on the road to stardom with his good looks and exuding 'machismo.'

It's the second half of the film that lagged a bit. A spark was missing. Even the intense court room scenes lacked luster. Pitt feigned a good 'New Yawk' accent and a good poker face in the court room as his plan follows course; (perhaps people would be more inclined to participate in the jury system if all lawyers commanded the same attention as Pitt's character). Patric needs to liven up. Hoffman's appearance as the defense attorney was brief, but well done. De Niro plays a cliché role, it's not too hard to figure out where his character's convictions lie.

It's hard for a movie like this to live up to audiences' expectations. Packed with big stars, I expected a stellar film, yet felt slightly cheated after leaving the theater. (I think Jason would agree to that). *Sleepers* is entertaining, but there is something this film lacks which keeps me from calling it quality.

2 1/2 GAVELS

'He Said... She Said...' is a monthly feature in the Reporter. Gila Garber and Jason Krauss review either a movie or video and rate it on a scale of gavels.

CHALLENGE

There's no need to envy anyone,
Develop your talents on your own;
Strive with all your might to prove you can;
Show that you're equal to any man.

Test your mettle, prove your worth,
For we live but once upon this earth;
Be yourself, don't follow the crowd;
Stand apart, and you'll feel proud.

Although you may not always win,
Remember, failure is not a sin,
But merely a challenge to try again,
And keep on trying until you win.

The greater the challenge to attain,
The greater the victory you will gain;
Live by your standard of integrity,
And the truth will set you free.

If you live by the golden rule,
You'll live the life of a righteous soul,
With honor and pride in accomplishment
And joy in achievement of your goal.

PRIDE IN WORK

As evening views the setting sun,
At the end of the day when tasks are done
In the best way we could have done,
No matter how difficult or troublesome,
There's no greater pleasure or reward
Than pride in the work well done.

Lives of greatness lead the way
To inspire us to live a better day,
In study, learning, work and play,
Achieving a worthwhile goal,
Leaving deeds to honor our name
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Bebe Dorsen

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